

BY FACSIMILE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Kensil

Confirmation No.: 7453

Application No.: 09/369,941

Group Art Unit: 1632

Filed: August 6, 1999

Examiner: M. Wilson

For: COMPOSITIONS OF CPG AND
SAPONIN ADJUVANTS AND USES
THEREOF

Attorney Docket No.: 8449-156-999

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OFFICE OF PETITIONS

**PETITION UNDER 37 C.F.R. §1.137(b) FOR REVIVAL OF AN APPLICATION FOR
PATENT ABANDONED UNINTENTIONALLY**Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

Sir:

On September 16, 2002, Applicants timely filed an Amendment and Response under 37 C.F.R. § 1.116, accompanied by a Petition for Extension of Time extending the period for responding by three months from June 14, 2002 to and including Monday, September 16, 2002, in response to a final Office Action dated March 14, 2002. Applicants believe the Amendment and Response put the Application in condition for allowance. Applicants, however, inadvertently and unintentionally failed to timely file a Notice of Appeal together with the Amendment. The Examiner, in an Advisory Action mailed September 26, 2002, informed Applicants that the Amendment would not be entered because it allegedly raised new issues that would require further consideration and/or search.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being filed with the United States Patent and Trademark Office by facsimile transmission on October 31, 2002 to facsimile telephone number (703) 746-5276.



47,167

Scott Warren

(Reg. No.)

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Applicants hereby petition for revival of the above-identified patent application which may have become unintentionally abandoned on September 16, 2002. Applicants submit concurrently herewith a Request for Continued Examination.

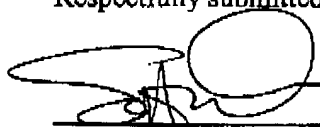
This petition is being filed to avoid the issuance of a Notice of Abandonment, and to revive the Application if necessary. The entire delay in filing the required reply from the due date for the reply until the filing of this petition under 37 C.F.R. § 1.137(b) was unintentional. Applicants note that this petition is being submitted within three months from the date Applicants were first aware that the above-identified application had become abandoned. No terminal disclaimer is required because the application was filed after June 8, 1995.

Applicants respectfully request that this Petition to Revive the unintentionally abandoned application be granted.

Pursuant to 37 C.F.R. § 1.137(b)(2) and § 1.17(m), it is estimated that a petition fee of **\$640.00** (small entity) is due for filing this Petition. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this document is enclosed for accounting purposes.

Respectfully submitted,

Date: October 31, 2002



47,167
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Enclosure